

Hearing Date: May 10, 2016 at 10:00 A.M. EST
Objection Deadline: March 23, 2016 at 4:00 PM EST

Duncan E. Barber (*Pro Hac Vice Motion Pending*) (Colo. Bar No. 16768)

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Cottages, LLC and Ironbridge Aspen Collection, LLC

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

: Chapter 11 Case No.:

LEHMAN BROTHERS HOLDINGS INC., *et al.*,

: 08-13555 (SCC)

Debtors.

: (Jointly Administered)

**DECLARATION OF DUNCAN E. BARBER IN SUPPORT OF RESPONSES [Doc. Nos.
52321, 52322 & 52324] TO PLAN
ADMINISTRATOR'S FIVE HUNDRED NINTH OMNIBUS OBJECTION TO CLAIMS**

I, Duncan E. Barber, declare pursuant to 27 U.S.C. § 1746, that the following is true:

1. I am an attorney licensed to practice in the State of Colorado. My application for *pro hac vice* admission is pending before this Court. I am an attorney with the firm of Shapiro Bieging Barber Otteson LLP, attorneys for creditors Ironbridge Homes, LLC, Ironbridge Mountain Cottages, LLC and Ironbridge Aspen Collection, LLC (collectively, "Creditors") in the above captioned matter.

2. I submit this Declaration in support of Creditors' Objections [Doc. Nos. 52321, 52322 & 52324] to the Plan Administrator's Five Hundred Ninth Omnibus Objection to Claims.

3. Attached hereto as **Exhibit 1** is a true and correct copy of the Proof of Claim No. 30848.
4. Attached hereto as **Exhibit 2** is a true and correct copy of the Proof of Claim No. 30849.
5. Attached hereto as **Exhibit 3** is a true and correct copy of the Proof of Claim No. 66154.
6. Attached hereto as **Exhibit 4** is a true and correct copy of the Tolling Agreement, executed as of November 30, 2011, between the Debtors, the Ironbridge Entities, the Hansen Entities and Sunrise Company (a/k/a Sunrise Construction), as defined in the Tolling Agreement.
7. Attached hereto as **Exhibit 5** is a true and correct copy of the Complaint filed by the Debtor on November 30, 2011 in the State Court Litigation.
8. Attached hereto as **Exhibit 6** is a true and correct copy of the Debtor's most recent Status Report filed in the State Court Litigation.
9. Attached hereto as **Exhibit 7** is a true and correct copy of Site Impact Change Order dated April 28, 2008.
10. Attached hereto as **Exhibit 8** is a true and correct copy of Plan Check Impact and Appliance Scope Change Order dated September 30, 2008.

11. Attached hereto as **Exhibit 9** is a true and correct copy of Deductive Change Order dated January 28, 2009.

Dated: May 5, 2016

Denver, Colorado

SHAPIRO BIEGING BARBER OTTESON LLP

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